

**WEST DIVIDE WATER CONSERVANCY DISTRICT
818 Taughenbaugh Blvd., Suite 101
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING
July 14, 2022**

CALL TO ORDER

The regular Board of Directors meeting was called to order at the District office at 9:00 a.m. by President Samuel B. Potter.

ROLL CALL

The following directors were present: President Samuel B. Potter, Vice President Dan R. Harrison, ~~Treasurer Bruce E. Wampler~~, Secretary Richard L. McNeill and Director Kelly Couey. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan Colorado River Engineering, Inc.; Edward B. Olszewski, Counsel; Brendon Langenhuizen, Colorado River District; Brian Blair, Auditor. *-via zoom* *via zoom*

PUBLIC COMMENT

There was no comment from the public.

MINUTES

Richard L. McNeill moved the minutes of the June 16, 2022, meeting be approved as received; Kelly Couey seconded; motion carried.

FINANCE REPORT

Blair and Associates Representation Letter: Richard L. McNeill moved and directed the President to accept and sign the representation letter; Dan R. Harrison seconded; motion carried.

2021 AUDIT

Brian Blair of Blair and Associates, P.C. presented the 2021 audit, and addressed questions and concerns; Richard L. McNeill moved acceptance of the audit with correction; seconded by Kelly Couey; audit accepted

Bills to be Paid: Richard L. McNeill moved the attached list of bills be paid; Kelly Couey seconded; motion carried.

Brendon Langenhuizen with the Colorado River District shared a summary of current events with the board and will try to attend meetings more regularly.

Colorado Parks and Wildlife will issue a fishing closure July 15, 2022 for Fraser, Eagle and Colorado rivers due to low flows and high-water temperatures. The Colorado River District

has released about 200-acre feet from Wolford Reservoir in anticipation of helping the health of the river. High temperatures are being discussed everywhere.

The seven-state meeting was held July 13, 2022 and the lower basin ~~discussions~~ fail to acknowledge their depletion of the river.

Colorado is putting pressure on the Bureau to get better and more accurate accounting for transit loss and depletions.

The River District is continuing to work with fifteen districts in distributing federal money for projects with federal grants.

The next River District board meeting will be the 19th and 20th of July with a few ~~que~~ speakers.

WATER CONTRACTS

Richard L. McNeill moved approval of the following assignments; seconded by Kelly Couey; motion carried; assignments approved.

Shane Swartwout; assignment from **Debbie Guccini**, 1.00 a.f., domestic, General Stored Water.

Jennifer P. Connor Smith; assignment from **Steven R. and Laura Janaye Williams**, 1.00 a.f., domestic, Silt Interconnect.

Mike and Michelle Miller – Lot 2; Richard L. McNeill moved approval of this water allotment contract, 1 a.f., domestic, General Stored Water; seconded by Kelly Couey; motion carried.

ROUNDTABLE REPORT

The next meeting will be August 25, 2022.

WATER RESOURCES' REPORT

No report this month.

HYDROLOGISTS' REPORT

Water Watch and Augmentation reports were provided and discussed with Wendy Ryan. The rivers were all tracking with double peak and now plummeting. Ruedi Reservoir, Wolford Mountain Reservoir and Rifle Gap did not fill this year. Green Mountain Reservoir did not fill either but the storage is better than last year. Alsbury Reservoir filled and spilled this year with some storage as well.

ALSBURY

Single Tree Ranch has not requested their water yet and the stilling basin work has been pushed back until fall.

CRYSTAL RIVER

Work continues to move forward with lots of meetings in the near future with BWCD, CPW and other stakeholders. Colorado River Engineering is working on a preliminary design for the Darien Pond, specific to the AVL T parcel.

The board has decided to hold off on the Crystal accelerator grant application and will plan on applying for community funding at a later date with the River District or Roundtable funding as the deadline is quickly approaching.

MARTIN RESERVOIRS

Wendy Ryan is working on the Accelerator Grant and has several companies lined up for site visits for GeoTech and Environmental/Cultural quotes.

There was 0.7-acre feet released for Oak Meadows July 11th and 12th.

The weeds are out of control this year and the seep under #1 is running again.

SILT INTERCONNECT

The pump station operations were completed under free river.

Tina and Jason will both be leaving the Silt Water Conservancy District soon. Tina's last day will be July 26, 2022 and she will be replaced by Michelle Torres.

ACTIVE CALLS

Rifle Creek Canon Ditch and Grand Tunnel Ditch are both on active current calls. Divide, East Divide and Fourmile Creeks are all on active current calls as well.

ATTORNEY'S REPORT

Received written and oral report from counsel.

NEW BUSINESS

The next meeting is scheduled for August 18, 2022. The office will be closed August 9-11th for construction.

DIRECTORS' COMMENTS

Samuel B. Potter shared that from April 1964 until 1971 the board had six directors and seven in 1972. Edward B. Olszewski will review the organization decree.

EXECUTIVE SESSION

There was no need for executive session this month.

ADJOURN

The meeting adjourned at 11:45 a.m.

SIGNED:



Richard L. McNeill, Secretary

ATTEST:



Samuel B. Potter, President



WEST DIVIDE
WATER CONSERVANCY DISTRICT

818 Taughenbaugh Blvd., Suite 101 P.O. Box 1478
Rifle, Colorado 81650-1478
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Web: www.wdwdc.org Email: water@wdwdc.org

April 21, 2022

Blair and Associates, P.C.
105 SE Frontier Ave, Suite A
Cedaredge, Colorado 81413

This representation letter is provided in connection with your audit of the financial statements of West Divide Water Conservancy District, which comprise the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information as of December 31, 2021, and the respective changes in financial position and, where applicable, cash flows for the year then ended, and the disclosures (collectively, the "financial statements"), for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of April 21, 2022, the following representations made to you during your audit.

Financial Statements

- 1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated January 6, 2022, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.
- 2) The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
- 3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- 4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- 5) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- 6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.
- 7) Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statements.
- 8) The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements as a whole for each opinion unit. A list of the uncorrected misstatements is attached to the representation letter.
- 9) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.

Directors: Samuel B. Potter Kelly Couey Richard L. McNeill Bruce E. Wampler Dan R. Harrison

- 10) Guarantees, whether written or oral, under which the district is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

- 11) We have provided you with:

- a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters.
- b) Additional information that you have requested from us for the purpose of the audit.
- c) Unrestricted access to persons within the district from whom you determined it necessary to obtain audit evidence.
- d) Minutes of the meetings of Board of Directors or summaries of actions of recent meetings for which minutes have not yet been prepared.

- 12) All material transactions have been recorded in the accounting records and are reflected in the financial statements.

- 13) We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

- 14) We have no knowledge of any fraud or suspected fraud that affects the district and involves—

- Management,
- Employees who have significant roles in internal control, or
- Others where the fraud could have a material effect on the financial statements.

- 15) We have no knowledge of any allegations of fraud or suspected fraud affecting the district's financial statements communicated by employees, former employees, regulators, or others.

- 16) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing financial statements.

- 17) We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.

- 18) We have disclosed to you the names of the district's related parties and all the related party relationships and transactions, including any side agreements.

Government-specific

- 19) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.

- 20) We have identified to you any previous audits, attestation engagements, and other studies related to the objectives of the audit and whether related recommendations have been implemented.

- 21) We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.

- 22) The district has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or net position.

- 23) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.

- 24) We have appropriately disclosed all information for conduit debt obligations in accordance with [GASBS No. 91](#).

- 25) We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statements.

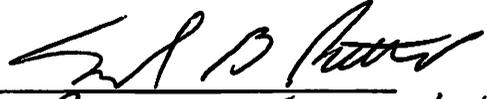
- 26) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- 27) As part of your audit, you assisted with preparation of the financial statements and disclosures. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statements and disclosures.
- 28) The district has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- 29) The district has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- 30) The financial statements include all component units, appropriately present majority equity interests in legally separate organizations and joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.
- 31) The financial statements include all fiduciary activities required by [GASBS No. 84](#) , as amended.
- 32) The financial statements properly classify all funds and activities in accordance with [GASBS No. 34](#) , as amended.
- 33) All funds that meet the quantitative criteria in [GASBS Nos. 34](#) and [37](#) for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- 34) Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
- 35) Investments, derivative instrument transactions, and land and other real estate held by endowments are properly valued.
- 36) Provisions for uncollectible receivables have been properly identified and recorded.
- 37) Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- 38) Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- 39) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- 40) Deposits and investment securities and derivative instrument transactions are properly classified as to risk and are properly disclosed.
- 41) Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
- 42) We have appropriately disclosed the district's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
- 43) We are following our established accounting policy regarding which resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available. That policy determines the fund balance classifications for financial reporting purposes.
- 44) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not

changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.

45) With respect to the supplementary information

- a) We acknowledge our responsibility for presenting the supplementary information in accordance with accounting principles generally accepted in the United States of America, and we believe the supplementary information, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.

Signature: 
Title: Secretary

Signature: 
Title: President 7/14/2022

GENERAL FUND				
Num	Name	Memo	Account	Amount
5589	Couey, W. Kelly	Director Fee	5020 · Director Fees	308.37
	Keenan, Tamara S	Office Manager	5221 · Salary	2,304.67
	McNeill, Richard L	Director Fee	5020 · Director Fees	560.93
5590	Harrison, Dan	Director Fee	5020 - Director Fees	436.68
5591	Potter, Samuel	Director Fee	5020 · Director Fees	598.63
5592	Barnes, Pearson & Rudow, PC	March, May & June Financials	5150 · Accounting	2,040.00
eft	Capital One, F.S.B.	Comcast	5390 · Telephone & Internet	165.22
eft	Capital One, F.S.B.	Zoom	5390 · Telephone & Internet	16.21
eft	Capital One, F.S.B.	Paper, Water, cleaning supplies	5100 · Office Supplies	191.30
eft	Capital One, F.S.B.	Stamps	5300 · Postage/Box Rent/Etc.	17.99
eft	Capital One, F.S.B.	Backblaze backup	5100 · Office Supplies	70.00
5583	Blair & Associates, P.C.	2021 Audit	5180 · Audit Preparation	7,900.00
5584	CEBT	TSK Health Ins	5222 · Medical Insurance--Employer	932.13
5585	CNA Surety	Bond	5610 · Insurance-E&O	257.00
eft	American Funds		2227 · Simple IRA Payable	98.12
eft	American Funds		2227 · Simple IRA Payable	261.64
eft	Electronic Federal Tax Payment System	84-0976632	2205-FICA/MED/FWT Payable	1,057.48
5586	Bookcliff Professional Building, LLC	Escrow	5394 · Rent-Prop.Taxes/Ins/Utilities	200.00
5586	Bookcliff Professional Building, LLC	Rent	5395 · Rent--Office unit	1,161.73
5587	Olszewski, Massih & Maurer, P.C.	General	5280 · Legal	680.00
5589	Couey, W. Kelly	Director Fee	5020 · Director Fees	308.37
	Keenan, Tamara S	Office Manager	5221 · Salary	2,304.67
	McNeill, Richard L	Director Fee	5020 · Director Fees	560.93
5590	Harrison, Dan	Director Fee	5020 - Director Fees	436.68
5591	Potter, Samuel	Director Fee	5020 · Director Fees	598.63
5592	Barnes, Pearson & Rudow, PC	March, May & June Financials	5150 · Accounting	2,040.00
				<u>19,258.10</u>

Handwritten initials and signature

GENERAL STORED WATER				
Num	Name	Memo	Account	Amount
2547	Silt Mesa Interconnect Enterprise Fund	Pd with CC for Silt account	4025 · In/Domestic	445.00
2548	Bureau of Reclamation	8-07-60-W0726	7075 · USBR--Rued I & II/Green Mtn.	5,564.00
2549	Colorado River Water Conservation District	Yield Study	7071 · CWCD Water Plan Grant	3,721.21
2550	Colorado River Engineering, Inc.	General	7032 · Hydrology--General	2,622.70
2550	Colorado River Engineering, Inc.	Releases schedule, site visit	7034 · Hydrology--Alsbury	2,350.00
2551	Olszewski, Massih & Maurer, P.C.	Directors	7047 · Legal--General	560.00
2551	Olszewski, Massih & Maurer, P.C.	CRWCD	7047 · Legal--General	336.00
2551	Olszewski, Massih & Maurer, P.C.	Water Rights	7047 · Legal--General	40.00
2551	Olszewski, Massih & Maurer, P.C.	Crystal	7048 · Legal--Crystal River	1,384.00
2551	Olszewski, Massih & Maurer, P.C.	WD Diligence	7046 · Legal--WD project Diligence	40.00
2551	Olszewski, Massih & Maurer, P.C.	Elam Construction	7047 · Legal--General	240.00
2551	Olszewski, Massih & Maurer, P.C.	Contracts	7047 · Legal--General	376.00
2551	Olszewski, Massih & Maurer, P.C.	General	7047 · Legal--General	623.58
2551	Olszewski, Massih & Maurer, P.C.	Area A	7047 · Legal--General	320.00
2551	Olszewski, Massih & Maurer, P.C.	Alsbury Diligence	7053 · Legal - Alsbury	80.00
2551	Olszewski, Massih & Maurer, P.C.	Martin Diligence	7046 · Legal--WD project Diligence	288.00
2553	Colorado River Engineering, Inc.	Task 6 Permitting	Hydrology - Martin Diligence	130.00
				<u>19,120.49</u>

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FOURMILE

Num	Name	Memo	Account	Amount
1971	Colorado River Engineering, Inc.	Site visit for pressure transducers	8033 · Hydrology -- Martin # 1 & 2	551.60
1972	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal-General	584.00
				<u>1,135.60</u>

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SILT INTERCONNECT

Num	Name	Memo	Account	Amount
527	Garfield County Clerk & Recorder	Memorandum	8000 · Memorandum Recording Fees	13.00
528	Colorado River Engineering, Inc.	General	7802 · Hydrology	130.00
				<u>143.00</u>

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GRAND TOTAL 39,657.19

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